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ABSTRACT

This publication is part of the Sports and the Law program sponsored by the Constitutional Rights Foundation. The program draws on young people's natural interest in sports to stimulate their involvement in education, and provides teacher training, lesson plans, a textbook and accompanying videotape, an annual conference, and classroom visits by sports and legal professionals. This issue contains four articles examining problems that athletes and others involved in sports are having following the laws and rules governing sports. The first article, "A Dangerous Game," discusses the positive and negative aspects of sports. The article suggests that it is difficult to identify at what point sports norms like "a quest for excellence" and "go for it" stop encouraging individual achievement and self esteem, and begin motivating athletes to act selfishly and take whatever measures are necessary to excel, regardless of the costs. The second article is an interview with Los Angeles Kings hockey player Marty McSorley. In the interview, teamwork, sportsmanship, and the spirit of competition are discussed. The third section is a collection of five photographs taken at the 1993 Sports and the Law Conference. The fourth article, "Coach's Column" (Andy Schwich), discusses Arthur Ashe and his contributions to sports oriented civic participation, the basis of sports and the law. Ashe represented equal opportunity for participation and fair competition, following the rules of the game, and dignity. He exemplified what the positive aspects of sports in life should be. The issue also contains questions for discussion and announcements of a series of lesson plans and an essay contest devoted to sports and the law. (DK)

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# SPORTS & THE LAW
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Spring 1993 volume 7 number 2

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In This Issue

*A Dangerous Game* *What Do You Think?* *S&L Conference* *Coach's Corner* *Essay Contest*

# A Dangerous Game

If you ask ten different people to give you their definition of "family," you are likely to get ten different answers. The same might be said for almost any topic or issue—the importance of education, the role of government, the value of money, and so on. In everything, there is always more than one perspective.

Even something like the importance of sports is subject to varying opinions. From one perspective, sports are beneficial to youth because they provide a good foundation for character development. Through sports, according to this view, young people can learn the fundamentals of effort, determination, concentration, and teamwork. These fundamentals which are necessary to sports, are also important in life. Those who advocate sports also claim that they provide a constructive way for young people to spend their time and energy, and that sports programs help teach discipline and keep kids out of trouble.

Bettmann Archive

Others strongly disagree with these views, however. Critics of sports argue that they can promote violence and set kids up for failure. Putting too much emphasis on "winning" and the development of the "total athlete" gives young people a distorted perspective of life, argue the critics. It fills their heads with dreams of super-stardom and creates a social structure based solely upon athletic ability. Critics worry that those who excel in sports often receive preferential treatment and can be subject to a different set of rules.

The arguments for and against the value of sports in the lives of youth are endless. It's safe to say, however, that both sides raise valid points.

Before the mid-1970's, no one really thought that sports had negative consequences. Since then sports have become more controversial. Wrongdoing by athletes, coaches, management, agents, and spectators have been widely publicized. Some of these stories have caused shock and disappointment in the institution of sports. For instance, in 1988, the news of track star Ben Johnson's use of anabolic steroids in preparing for the Seoul Olympics made headlines worldwide. It cast a shadow over the traditional glory and integrity of the games.

In addition, an increasing number of college and university programs have been found guilty of numerous rule violations ranging from improper recruiting to point-shaving. For instance, in 1989, twenty-two schools were on NCAA probation for rules violations. Schools such as the University of San Francisco and Tulane had to drop their basketball programs because of serious rule infractions. Southern Methodist University's football program was given the "death penalty" (a prolonged suspension) for repeated recruiting violations. At North Carolina State University, school investigations in 1989 revealed that a shocking 10 out of 12 basketball players were under academic warning. Throughout Coach Jim Valvano's 9 years there, 29 of his 43 players had been on such warning.

Yet, despite this negative information, college administrators and athletic directors insist that sports programs are beneficial. They argue that sports promote school spirit and raise money for school programs. Said Dick Schultz, executive director of the NCAA, "There is a firm feeling that we have turned the corner when it comes to major violations. We are getting on top of this integrity issue... Ninety-nine percent of everything that is going on in intercollegiate athletics today is exceptionally positive."

That statement was made in 1989. Have things improved? If news headlines are any indication, Schultz's statement seems to be overly optimistic. Since that time, big-name programs like the University of Nevada-Las Vegas and Arizona State's basketball programs have continued to be penalized for breaking the rules.

Even more troublesome is the increasing number of individual athletes who get into trouble with the law. The news seems filled with reports of athletes being arrested for everything from drunk driving to drugs, from assault and battery to attempted murder or rape or weapons charges. Numerous professional athletes and role models have ruined their careers and shattered the dreams of fans because of serious rule violations. For instance, football star Dexter Manley's career was ruined because of serious drug use, and baseball great Pete Rose was banned for life from baseball because of gambling problems.

A bleak two-week period in January, 1989, saw five Oklahoma Sooners' football players arrested and charged with felonies. Three players were accused of gang-raping a female student, one player shot another during a late-night argument, and one player, the team's quarterback, was arrested for selling cocaine. The arrest of Oklahoma quarterback Charles Thompson was especially troubling to players, fans, and Coach Barry Switzer. Thompson had been considered the team leader. Many people looked up to him—a week before his arrest, he had lectured students at a nearby elementary school about the evils of using drugs. Said one of Thompson's teammates, "We bestowed trust in him because he had demonstrated himself to be a leader. This knocks my feet out from under me. I mean, who can you have confidence in?"

***Some argue that players, organizers, administrators, coaches, fans, and the media all contribute to the situation.***

Fans, too, are affected by the scandals and negative attributes of sports. Last year, the conviction of former heavyweight boxing champion Mike Tyson on rape charges disillusioned and disappointed many of his fans, and further reinforced boxing's reputation as a sport of violence. Fights and verbal abuse among spectators are common at all levels of sports, from high schools through the pros. In some areas, team rivalries are so intense that security measures have to be taken to ensure that weapons, bottles, or other dangerous objects are identified and confiscated before entering the stadium or gym.

These problems prompt many relevant questions: What's the cause of the increased law-breaking? What can we do to solve the problems of violence? Some argue that players, organizers, administrators, coaches, fans, and the media all contribute to the situation.

For instance, when a player commits a crime or breaks a rule, he or she has to take individual responsibility. But organizers and administrators who continuously overlook illegal behavior brought to their attention also bear responsibility. This lack of action can give improper practices an unspoken "stamp of approval."

Coaches may bear the greatest responsibility. They are the ones who have the most frequent and consistent contact with players. Some say that if anyone knows that an athlete is headed down the wrong path, it should be the coach. Questions of judgment arise when a coach recruits an athlete with a known "bad" background. On the other hand, some people credit coaches who take chances on people with not-so-solid backgrounds, praising them for changing lives and providing second-chance opportunities.

Fans need to understand their role in the problems as well. In a sense, fans can send mixed messages—on the one hand, they encourage aggressive and tough players, big hits, and a lot of "action" during a game. They pay big money and show their approval through their cheers. But when any of this behavior carries over off the field or court, they are quick to criticize and place blame. The exact behaviors they encourage in sports are condemned when displayed elsewhere. This situation can be very difficult for athletes, especially young ones, who have to decide what is appropriate behavior amidst conflicting pressures. From the fans' perspective, it is important to support a "winning" team. But this kind of emphasis can place a great deal of pressure on players, coaches, and organizers and administrators. For many, the "fun" of the sport only comes from winning, not just from playing.

Finally, it is worth mentioning the media's role in contributing to the problems. Some critics of the media say that they focus too much on the negative things that athletes do. Television sports' broadcasts often highlight aggressive plays or brawls that occur on and off the field. If the media were to give more attention to the positive contributions athletes make to their communities, families, and teammates, critics argue, much of the "glamour" of aggressiveness and violence might be lessened. From the media's standpoint, however, they are showing what they feel is newsworthy and highlighting what people should know about.

## Conclusion

It is clear that there are both positive and negative sides of sports. It is difficult to identify, however, at what point sports norms like, "a quest for excellence," "always strive to be the best," and "go for it" become dangerous. By themselves, each of these statements encourage individual achievement and self-esteem—two qualities often considered important for good character development. At some point, however, these anecdotes can be seen as motivating athletes to act selfishly and take whatever measures necessary to excel, regardless of the costs.

**(Continued on page 8.)**

# WHAT DO YOU THINK?

*In the minds of many National Hockey League fans, the name "Marty McSorley" is well known. He has the reputation of being a fighter because he has led the Los Angeles Kings in penalty minutes in three of the last four seasons. But the hard-hitting, versatile McSorley was a member of two Stanley Cup champions with Edmonton and provides leadership, experience, and a competitive spirit to the Kings. Off the ice, Marty is extremely active in a number of charitable organizations and events. He recently shared his thoughts on hockey and related topics with Sports & the Law.*

**S&L:** Marty, how would you describe yourself?

**MM:** That is really tough. I think a person is best judged by the people who need them most. I believe that's my teammates.

**S&L:** Around the league, you have the reputation of being a "bad boy" and a fighter. How do you respond when people say these things?

**MM:** When my name comes up, people think "tough guy" or "fight." Sometimes I hear people say things like, "Are you going to try to break the record for penalty minutes?" I never look at it that way. I play each game as an individual game. I start by looking to win every game. I look to help my teammates. I want to be the best player I can be. When I'm done playing, it's not fight tapes or penalty minutes that matters. It's how I believed I played, and the kind of reaction my teammates give me as to whether I made an honest effort to help them on the ice—that's what matters most.

**S&L:** In your opinion, how important is it to play by the rules of the game?

**MM:** On the ice, whatever rules are in place have to be played intelligently. You have to know what the referees are thinking and how they're controlling the game. There are times when a player must step up and take control, but it always has to be done within the parameters of the game. There are times when you really have to suck things up. You don't do things on the ice because of your own temper—you do things for the good of the team.

**S&L:** In what ways do you think the rules of hockey should be changed?

**MM:** I would like to increase the speed of the game more because the young players today are very talented. The players have gotten so big and move so well that the rink seems relatively small now. Maybe they can take the red line out of the game. I think if you increase the speed of the game even more, you're going to increase the finesse players playing and the young guys coming in—the whole focus will be on being a better player instead of on violence or toughness on the ice. I also think they could take two linesmen off the ice and leave just two referees on the ice. Then their calls would be very consistent, and fewer players would get hurt. You would have the same number of calls but with the additional respect for the referees.

**S&L:** In your opinion, what is teamwork all about?

**MM:** It's about being honest—being honest with your teammates and with yourself. Everything else comes out from there—the effort, the comraderie, the desire to help the team. Sometimes helping the team doesn't help your own stats; sometimes helping the team means changing earlier or blocking a shot when you could be trying for an offensive situation. You have to be very disciplined and committed to your team—that commitment often means doing things very unselfishly. It's that type of teamwork that wins or loses hockey games.

**S&L:** What do you think is the importance of the spirit of competition?

**MM:** I'm very, very competitive. I grew up in a family of 10 kids—7 boys, 3 girls. When we played it really got intense and I think that's the kind of competitive spirit I've carried with me throughout the years. Whenever I've joined teams, I looked at my teammates as my brothers because growing up, the majority of my days were spent playing on teams with my brothers and being matched against each other in real competitive games. I love to play basketball and I really enjoy playing baseball.

I think the biggest thing that I have about other sports is the respect that those players bring to the game. They're very, very talented. There would be no way for me to try to step up and compete with a professional in their field because they've given it a great deal of time, energy, commitment, and loyalty to their sport. That's what I really respect—great ability and great talents.

**(Continued on page 7.)**

## Playing by the Rules of
# the Game

*Art Hershey and Vivian Riddick hand out spectacular prize giveaways at the end of the day. Here a lucky student gets a Clippers basketball, autographed by the team.*

*Every student filled out an evaluation before receiving their t-shirts.*

*Los Angeles Raiders runningback, Nick Bell, poses for a picture with Sports & the Law Advisory Council Co-Chair, George Short. Nick was the keynote speaker in the morning session.*

*American Gladiator, and former NFL player Lynn Williams, also known as Saber, signed autographs after speaking at the "Winning Ways in Sports and Life" workshop.*

*Students enjoyed giveaway items such as posters and Sports & the Law t-shirts. Photos by Andrew Costly/CRF*



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# COACH'S COLUMN

**by "Coach" Andy Schwich**
**Sports & the Law Program Director**

**The Final Chapter**

When I was a fifth-grader in 1969, I wrote a book report on Arthur Ashe. A year earlier, Ashe had become the first black man to win the United States National Amateur [Tennis] Championship. He followed that accomplishment with a win in the first U.S. Open in 1968. This past February, when I heard that Arthur Ashe had passed away from AIDS-related complications, my mind drifted back to 1969. I vividly remembered looking at the pictures of the skinny black kid from Richmond, Virginia, who would grow up and make his mark on tennis and the world. I now realize that what I wrote in my book report was merely an introduction to Arthur Ashe's life achievements. I think that now is an opportunity for me to write the "final chapter" to my report.

Sports & the Law is about sports-oriented civic participation. It's about providing equal opportunity for participation and fair competition. Sports & the Law is about playing by the rules of the game while striving to improve it. It's about self-development, both on and off the court or field. Sports & the Law is about dignity. Arthur Ashe demonstrated all of these qualities and more.

In the study of American history, the name of "Arthur Ashe" should be up there with the great pioneers of our time. His accomplishments, on and off the tennis court, rank him with the most influential and newsworthy people of modern times.

Throughout Arthur Ashe's life, whenever his name was in the news, it was in situations where he was demonstrating his political convictions, whether it be against South Africa's apartheid policy in 1985 or against U.S. policy for Haitian refugees in 1992; it was not for suspected rape or drug use or spitting beer at a woman on the dance floor as seems to be the case with so many athletes these days. When Arthur Ashe's name was in the news, it was for establishing and serving as president of the players union, or for working to develop minority youth tennis programs in the inner city. Whenever Arthur Ashe's name was in the news, invariably one could find the word "first" somewhere in the context.

Arthur Ashe was an exceptional tennis player. His trophy case included an NCAA singles championship at UCLA, singles titles at Wimbledon and the Australian Open, a doubles title at the French Open, and the number one ranking in the world in 1975. He played on the U.S. Davis Cup team and later served as captain from 1980-85. In 1985, he was elected to the International Tennis Hall of Fame. As an African American, Arthur Ashe shouldered the immense burden and responsibility of leadership as America's first great black male tennis player, and he stood tall until the end.

Those who were fortunate to know him respected his ability to weigh all available options and keep things in proper perspective. About his own life he said, "I don't want my daughter to think her daddy was just an athlete."

Arthur Ashe exemplified competition, sportsmanship, dignity, and the struggle for human rights; he exemplified what the positive aspects of sports in life could be. Arthur Ashe is no longer with us. I, for one, will truly miss him. I wish he could have continued to play in the game of life.

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This issue of Sports & the Law has focused very literally on issues of "sports" and the "law." We've examined problems that athletes and others involved in sports are having following the laws and rules governing sports.

With this in mind, Sports & the Law is sponsoring an ESSAY CONTEST. The essay theme is: the student-athlete. Students are invited to write about two aspects of the student-athlete.

1. Describe what kind of person you believe would be a model student-athlete. You can talk about things like what this person's priorities should be; how he or she would balance the various aspects of his of her life, including school, work, family, friends, and athletics; and what students, schools, coaches, or others should do to make this model a reality.

2. If you know of an actual person who you feel is an exemplary student-athlete (or was one), write about that person's life and experiences. You can interview that person, or use resource materials to find out information about how this person was able to succeed both as a student and athlete.

Your essays should be written and submitted to your teachers by May 15, 1993. Be sure to include your name, grade, school, and teacher's name on the cover sheet. Or, you can send your essay directly to our offices: Sports & the Law, 601 South Kingsley Drive, Los Angeles, CA 90005.

Six winning essays will be selected all together—3 high school and 3 middle school entries. Winners will receive recognition certificates and a special prize award (to be announced at a later date.)

***S & L ESSAY CONTEST***

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**(Continued from page 4.)**

**S&L:** What kind of dedication and commitment is needed to be successful in professional hockey or any other sport?

**MM:** You have to be disciplined; and you have to be very, very dedicated. Dedication starts at a very young age. The hours of work a person puts in before he ever skates in the NHL are tremendous. That's a heck of an investment for a young person who wants to be a professional athlete. But it's really worth it. There are times when I was a teenager that my friends were off doing things, and although I was able to join in and have fun with them some of the time, there were also times when I couldn't because of training or because I had a hockey game the next day. I had to be very disciplined and focused. I had to really know what I wanted to do and stay on the right path.

**S&L:** Do you think athletes have responsibilities as role models for young people?

**MM:** First and foremost, I think that the athletes have to be good people. They have to respect themselves and their teammates. That respect carries off the ice, outside the dressing room, and affects all the people they come in contact with. People have to know that a person is a professional athlete because he [or she] is committed, and is loyal—to himself and to what he's doing. I think that kind of person sets a great, great example.

I find that many players, because they're good people and because of their loyalty, are very generous. They feel the need to give something back to the community. In the summertime, there are so many events that I could spend 3 days every week going to golf or baseball tournaments all in the support of charity and all of them run by hockey players who put endless hours into it. Although we all have a lot of responsibility and things to do, it's important to take time out to share what I'm doing with people and to help out.

**S&L:** What does the Stanley Cup [hockey's championship] mean to you?

**MM:** Everytime I ever played with my brothers as a kid, we were always playing in the Stanley Cup finals. Even when we were playing soccer or baseball, we still put the Stanley Cup in there because that was our focus. You could throw a coin into a wishing well for fun and think about winning the Stanley Cup. You see a falling star and think about winning the Stanley Cup. I always wanted to be in that position to be able to win a Stanley Cup, to be there with my teammates and I really, really wanted it—it was a real goal that I set. I've been lucky enough to taste that victory a couple of times and now I want it back, I really do.

(Continued from page 4.)

Sports are an important part of the culture in this country and around the world. Because of their prominence in the lives of so many people, especially youth, sports can be an ideal vehicle to teach nonviolence, respect for self and opponents, the importance of control, confidence in physical skills apart from winning, and a sense of responsibility. If everyone involved is careful and responsible in their roles, the athletic experience can be extremely positive for all.

**For Discussion:**

1.Why do you think there has been an increase in wrongdoings among people involved in sports?

2. Do you think athletes and administrators are good role models? Why or why not?

3. Do you think that the emphasis on "winning" places too much pressure on young athletes? Why or why not?

## Attention All Sports & the Law Teachers

CRF SPORTS & LAW

Mock Arbitration

Conflict Resolution in Major League Baseball

Sports & the Law is introducing the first in a series of fully-prepared, interactive classroom lesson plans covering important social, legal, and citizenship issues through the vehicle of sports.

The Mock Arbitration lesson teaches students about the principles of Alternative Dispute Resolution methods—arbitration, mediation, and negotiation. Through an interactive, small-group, roleplay activity, students research and attempt to solve the issues arising from a baseball players' salary dispute.

For more information about the Mock Arbitration lesson, arranging for guest speakers, or other aspects of Sports & the Law, please contact Andy Schwich or Eleanor Song at the Constitutional Rights Foundation, Sports & the Law Program, (213) 487-5590.

**THE SPORTS & THE LAW PROGRAM**

This newsletter is provided to schools as part of Constitutional Rights Foundation's Sports & the Law Program. Sports & the Law draws on young people's natural interest in sports to stimulate their involvement in education, and provides teacher training, lesson plans, a textbook and accompanying videotape, an annual conference, and classroom visits by sports and legal professionals.

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